

July 2023

Dear Members of Congress:

Thank you for your service to our nation and our communities. Protecting U.S. national security and enhancing our competitiveness in the global economy are goals shared by the Asian American, Native Hawaiian, and Pacific Islander (AANHPI) communities. As organizations representing and serving AANHPI communities along with organizations advocating for the civil rights of all communities, we write to underscore the importance of upholding fundamental rights and freedoms protected by the Constitution while advancing these goals.

We are thus writing to express our deep concern about the escalating anti-China rhetoric that we have seen reflected in proposed legislation, and which may ultimately be embedded in law. Legislation that can fuel bias and xenophobia not only harms Chinese Americans and AANHPI communities, but also itself threatens U.S. national security and competitiveness.

Over the last several years, because of anti-Chinese rhetoric, the Asian American community has faced unrelenting attacks and accusations questioning our loyalty and commitment to our country. Since the start of the COVID-19 pandemic, reported hate crimes against Asian Americans have increased by 339%, and a recent study found that 3 out of 4 Chinese Americans have experienced discrimination.¹

Legislation on the federal level, including amendments to The Lower Energy Act (HR 1)² and problematic language we have seen in the U.S. Innovation & Competition Act of 2021 (S1260)³—in addition to state laws banning ownership of land simply because of ties to a foreign country—leave our community members on edge. We find ourselves bracing for future attacks, profiling, and surveillance. We also find ourselves remembering how national security concerns once led our country to incarcerate innocent Japanese Americans.

Looking to more recent history, the collapse of several high-profile prosecutions of Chinese American scientists and researchers under the Department of Justice's now

¹ See <https://chinacenter.socialwork.columbia.edu/news/national-survey-data-shows-nearly-3-out-every-4-chinese-americans-have-experienced-racial>

² See <https://www.congress.gov/amendment/118th-congress/house-amendment/151?q=%7B%22search%22%3A%5B%22H.R.1%22%5D%7D&s=a&r=18>; <https://www.congress.gov/amendment/118th-congress/house-amendment/162?q=%7B%22search%22%3A%5B%22H.R.1%22%5D%7D&s=a&r=7>

³ The bill contained provisions that would promote racial profiling of Asian Americans, including the requirement that every federal department and agency should designate a senior official whose role would be to essentially scrutinize activities of individuals with Chinese heritage

terminated "China Initiative " serves as a cautionary tale for the potential consequences of the proposed legislation. By encouraging suspicion and mistrust of Chinese Americans and other Asian Americans, we are concerned that Congressional action could lead to similar overreach that ruins innocent lives, while producing a chilling effect in the scientific community that threatens innovation.

That chilling effect is well documented: a recent national academic climate survey of over 1300 faculty members nationwide, conducted by Asian American Scholar Forum (AASF) in collaboration with 11 Asian American professional organizations⁴, found that an overwhelming majority of the survey respondents (89%) would like to contribute to the US leadership in science and technology. Yet many feel unsafe (72%) and fearful of conducting research (42%) in the United States, especially engineering and computing science faculty, life science faculty, federal grant awardees, and senior faculty. Around 61% of the survey respondents feel pressure to leave the United States, especially junior faculty and federal grant awardees, and 45% intend to avoid federal grant applications, especially engineering and computing science faculty and senior faculty due to fear. Nonetheless, many Asian Americans including scientists and researchers continue to advance our country's national security and enhance our competitiveness. We need to keep the talent we have and welcome talent from abroad, alongside developing the talent within our communities.

By working together, we can create policies that are fair, just, and respectful of all individuals and communities, while also addressing legitimate national security concerns.

We urge members of Congress to consider the impact that proposed legislation could have on AANHPI communities, and to work with AANHPI groups to find ways to address national security concerns while creating an environment that welcomes people who are committed to the success and safety of our country.

If you have any questions or would like to learn more about concerns, please reach out to Haipei Shue, Acting Executive Director of United Chinese Americans at haipei.shue@ucausa.org and Rahat Babar, Deputy Executive Director of Policy at the National Asian Pacific American Bar Association at rbabar@napaba.org.

⁴ See "Caught in the Crossfire: Fears of Chinese American Scientists," available here: <https://arxiv.org/pdf/2209.10642.pdf>

Sincerely,

United Chinese Americans (UCA)
National Asian Pacific American Bar Association (NAPABA)
Stop AAPI Hate
AAPI Montclair
Asian American Legal Defense and Education Fund (AALDEF)
Asians Advancing Justice- Atlanta
Asian American Bar Association of New York
Brennan Center for Justice at NYU Law School
Vincent Chin Institute
Chinese for Affirmative Action (CAA)
Filipino American Lawyers Association of Chicago (FALA Chicago)
Asian Texans for Justice
Chinese Progressive Association
New Jersey Alliance for Immigrant Justice
The Filipino School of New York & New Jersey
Asian Pacific American Bar Association of Pennsylvania
Not In Our Town Princeton
AAPI Foundation
Richardson Wang
Asian American Bar Association of the Greater Bay Area
Pan Asian Lawyers of San Diego
Michigan Asian Pacific American Bar Association
Asian Law Alliance
APA Justice Task Force
InterReligious Task Force
Grassroots Asians Rising
Cleveland Jobs with Justice
Asian American Midwest Progressives
Asian Real Estate Association of America Central New Jersey Chapter
Chinese Americans of Fort Lee
Cal-APABA
Route 4 Progress
OPAWL - Building AAPI Feminist Leadership
Asian Pacific American Lawyers Association of New Jersey, Inc. (APALA-NJ)
Motivation Motivates
Minority People's Email Network (MPEN)
Asian Pacific American Labor Alliance, AFL-CIO
Erase the Space
Progressive Peace Coalition
The Slants Foundation
AAPIs for Justice San Antonio TX
Asian Americans United

Dallas Asian American Bar Association
Dove & Crane Collective
Korean American Bar Association of Chicago
Oregon Asian Pacific American Bar Association (OAPABA)
NAPABA-Hawaii
Southern California Chinese Lawyers Association
APABA-DC
Asian Pacific American Bar Association of Colorado
Connecticut Asian Pacific American Bar Association
Asian Bar Association of Washington
Austin Asian American Bar Association
Sacramento Filipino American Lawyers Association
Asian Pacific American Bar Association of Los Angeles County
Asian American Bar Association of Houston